

APPEAL NO. 020514
FILED APRIL 29, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on February 12, 2002. With regard to issues before him, the hearing officer concluded that the respondent/cross-appellant's (claimant herein) injury includes an injury to the left knee and the claimant's impairment rating (IR) is 16% based upon the report of a designated doctor selected by the Texas Workers' Compensation Commission (Commission). The appellant/cross-respondent (self-insured herein) appeals, contending that the claimant had prior knee problems and that the designated doctor's IR was incorrect. The claimant files a request for review, but essentially argues that the decision of the hearing officer should be affirmed.

DECISION

Finding sufficient evidence to support the decision of the hearing officer and no reversible error in the record, we affirm the decision and order of the hearing officer.

It was undisputed that the claimant sustained a compensable injury on _____. The claimant described her injury as taking place when she fell on the wet cafeteria floor while working as a teacher for the self-insured.

The self-insured appears to argue that the claimant did not suffer an injury to her left knee because she had preexisting arthritis in her left knee. Whether or not the claimant had such a preexisting condition would not preclude her from suffering a compensable injury to her left knee. There was no evidence that arthritis was the sole cause of the condition of the claimant's left knee. Extent of injury is a question of fact for the hearing officer. Texas Workers' Compensation Commission Appeal No. 93613, decided August 24, 1993. There is certainly sufficient evidence in the testimony of the claimant and the medical evidence to support the determination of the hearing officer that the claimant's compensable injury included an injury to her left knee.

As far as the IR is concerned, the self-insured seems to argue that the designated doctor should have attempted to factor out any impairment due to any preexisting condition in assessing IR. The hearing officer found that the 16% IR assessed by the designated doctor was valid and the great weight of the medical evidence was not contrary to this IR. These findings were clearly supported by sufficient evidence.

The claimant in her "request for review" does not specifically disagree with any finding by the hearing officer and does not appear to be aggrieved by any finding of the hearing officer.

The decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **(a self-insured governmental entity)** and the name and address of its registered agent for service of process is

**SUPERINTENDENT
(ADDRESS)
(CITY), TEXAS (ZIP CODE).**

Gary L. Kilgore
Appeals Judge

CONCUR:

Thomas A. Knapp
Appeals Judge

Robert W. Potts
Appeals Judge